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Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

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OFFICE OF PETITIONS

In re Application of

MAR 1 3 2009

Thomas Westbrook, et al.

Application No. 10/001,556

Filed: October 31, 2001

Attorney Docket No. WWWN116621

DECISION ON PETITION

TO WITHDRAW

FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed January 22, 2009.

## The request is **NOT APPROVED**.

A grantable request to withdraw or contain a clear indication that one attorney is signing on behalf of another/others.

The request cannot be approved because the statement under 3.73(b) is not proper or no statement under 3.73(b) was filed.

In order to request or take action in a patent matter, the assignee must establish its ownership of the patent to the satisfaction of the Director. In this regard, a Statement under 37 CFR 3.73(b) must have either: (i) documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment), and a statement affirming that the documentary evidence of the chain of title from the original owner to the assignee was or concurrently is being submitted for recordation pursuant to § 3.11; or (ii) a statement specifying where documentary evidence of a chain of title from the original owner to the assignee is recorded in the assignment records of the Office (e.g., reel and frame number).

Further the request cannot be approved because petitioner has not certified that they have delivered to the client of duly authorized agent of representative of the client all papers and property (including funds) to which the client is entitled. Practitioners are not permitted to withdraw from representation as practitioners of record unless all the certifications are made. It is also noted that submitting false certification may violate a practitioner's duty under 37 CFR 10.23(b)(4) and (b)(5).

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant.

Telephone inquiries concerning this decision should be directed to undersigned at 571-272-1642.

/AMW/ April M. Wise Petitions Examiner Office of Petitions

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